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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,295	02/02/2004	Jane Wen Chang	11646-006002	1408
58326	7590	07/18/2006	EXAMINER	
HOLLAND & KNIGHT LLP			EBIRIM, EMEKA	
10 ST. JAMES AVENUE			ART UNIT	
BOSTON, MA 02116			PAPER NUMBER	

2166

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/770,295

Applicant(s)

CHANG ET AL.

Examiner

Emeka Ebirim

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/22/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Status

1. Claims 1-7 are pending in this Office action.

The application has been examined. Claims 1-7 are rejected as detailed below and are pending in this office action.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 1-3 and 4-6 rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 and 4-6 of U.S. Patent No.

6,704,728. Although the conflicting claims are not identical, they are not patentably distinct from each other because the Instant application contain the same claim limitations as those of Patent No 6,704,728 limitations of the . Claim 1 of the instant application is a subset of claim 1 of Patent No. 6,704,728.

The chart below provides the correspondence between the instant claims and the claims of Patent No: 6,704,728.

Instant Application No: 10770295	Patent No: 6,704,728.
1	1
2	2
3	3
5	5
6	6

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Patent No: 6,862,710 to Marchisio (hereinafter Marchisio).

Claim 1.

Marchisio discloses:

A computer-implemented method of accessing information from a collection of data comprising:

receiving a query [query, search request, Col 9 lines 10-12, Fig 2, 8, 10];

generating an inverse index of the collection of data [inverted indices, Col 9 lines 24-25, Fig 3]; and

generating results to the query in conjunction with the inverse index [search results, Col 17 lines 1-5].

Claim 2.

Marchisio discloses the elements of claim 1 as above and furthermore it discloses generating the inverse index comprises:

storing a canonical non-terminal representation of the data in the inverse index (information matrix to storage) [inverted indices, Col 9 lines 39-42, Fig 3-4].

Claim 3.

Marchisio discloses the elements of claim 2 as above and furthermore it discloses:

storing hierarchical information generated from the collection of data [relevance level (hierarchical), store, Col 17 lines 7-10, 39-45,];

applying a parser and grammar rules to the collection of data to produce a canonical non-terminal representation of the data [parser, rules Col 9 lines 30-35].

Claim 4.

Marchisio discloses the elements of claim 3 as above and furthermore it discloses:

applying the parser and the grammar rules to the query to produce a query canonical form [parser, rules Col 9 lines 30-35]; and

matching the query canonical form to the canonical non-terminal representation of the data in the inverse index [match, Col 8 lines 23-28].

Claim 5.

Claim 5 is essentially the same as claim 1 except that it recites "computer-readable medium". As such it is rejected for the same reason as applied hereinabove.

Claim 6.

Claim 6 is essentially the same as claim 3 except that it recites "computer-readable medium". As such it is rejected for the same reason as applied hereinabove.

Claim 7.

Claim 7 is essentially the same as claim 4 except that it recites "computer-readable medium". As such it is rejected for the same reason as applied hereinabove.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the accompanying PTO-892 form.

Contact information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emeka Ebirim whose telephone number is 571-272-3994. The examiner can normally be reached on 8:30pm - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam, can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emeka Ebirim
Examiner
Art Unit 2166

July 07, 2006


KHANH B. PHAM
PRIMARY EXAMINER